

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ERIC DEMOND LOZANO,
TDCJ #1915276
Plaintiff,

v.

BRYAN COLLIER, ET AL.,
Defendants.

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CIVIL ACTION No. 3:18-CV-00237

DEFENDANTS MOTION FOR SUMMARY JUDGMENT

Exhibit G

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**ERIC LOZANO (1915276),
Plaintiff,**

v.

**BRYAN COLLIER, et al.
Defendants**

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Civil Action No. 3:18-CV-00237

AFFIDAVIT OF TIMOTHY JONES

THE STATE OF TEXAS

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COUNTY OF WALKER

BEFORE ME, the undersigned authority, on this day personally appeared **Timothy Jones**; and after being first duly sworn according to law, upon his oath, deposed and said:

“My name is Timothy Jones, and I am over eighteen years of age, of sound mind, capable of making this affidavit, and I have personal knowledge of the facts herein stated. I have been employed by the Texas Department of Criminal Justice (“TDCJ”) since June, 2012. I am currently employed as Director of Chaplaincy, a position I have held since August, 2018.

“It is my understanding that offender Eric Lozano, plaintiff in the above-styled case, has objections to TDCJ’s religious policies. I have been asked to address certain aspects of these allegations and do so as follows:

“TDCJ has an offender population of around 9,000 who have identified as Muslim. Within these 9,000 there are 19 individual faith preferences. Regardless of what unit a Muslim offender is housed he has access to 1 hour per week of religious programming. If a religious volunteer is available, offenders have access to an additional hour of programming. TDCJ area Muslim Chaplains assist in recruiting religious volunteers, travel to all units in the state to meet with offenders, and conduct additional, secondary, religious services. TDCJ employs up to 5 area Muslim chaplains. Marvin Jefferson in the Houston area, and Omar Shakir in the San Antonio area. Chaplain Akbar Shabazz died in April of 2020. TDCJ is in the process of filling his position and the two remaining positions.

“The Jewish and Native American units of which Offender Lozano speaks house other offenders along with the Jewish and Native American offenders housed there. Even on these designated units, offenders are only entitled to 1 hour per week of their main religious service and may have an additional hour dependent upon availability of time, space, security, and an approved volunteer. Jewish offenders on the “enhanced” Jewish unit, Stringfellow, may also

receive meals from the Kosher kitchen. Native American offenders on the Native American units are able to participate in pipe ceremonies and other religious ceremonies once a month during their weekly religious service.

"Plaintiff requests a Muslim designated unit. Due to the large size of the population, a single unit could not house the entire offender population who identifies as Muslim. Comparatively, as of February 29, 2020, there are 6,096 Native American offenders statewide and 2,243 Jewish offenders statewide. In addition, TDCJ faith-based units do not restrict members of other faiths from occupation of said units.

Plaintiff requests an Islamic faith-based dorm, but the faith-based dorms within TDCJ do not restrict based on a chosen faith. The dorms are places where an offender can grow in whichever faith they choose. The specific religious classes are voluntary and held 3 days per week. Assignment to a faith-based dorm is temporary based on completing programming. The focus is on rehabilitation, reentry orientation, and family. It is possible to re-enter these dorms, but housing in them is not designed to be permanent.

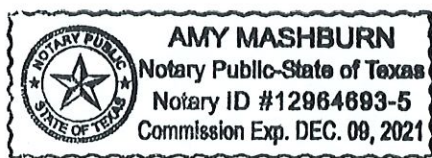
"Plaintiff requests access to showers before Jumah services. Jumah shall be conducted on Friday. It is the Islamic holy day of the week. The unit chaplain and the area Muslim chaplain shall coordinate the exact time of the meeting. Attendance at Jumah prayer service is restricted to offenders whose faith preference is Islamic per TDCJ records and whom the area Muslim chaplain has approved for attendance. Before Jumah services, Muslim offenders are permitted to shower. The unit chaplain shall coordinate with the Warden to allow Muslim offenders to shower prior to their Jumah service in order to meet their holy obligation for cleanliness in prayer.

"Further affiant sayeth not."



Timothy Jones
Director of Chaplaincy
 Rehabilitation Programs Division
 Texas Department of Criminal Justice

SWORN TO AND SUBSCRIBED before me by Timothy Jones on this 15th day of June, 2020, to certify which witness my hand and seal of office.



Notary without Bond


 Notary Public In and For State of Texas


 Notary's Printed Name